

patient relationship, and the uninterrupted continuation of medical care. Specifically, it requires the law enforcement agency requesting the search warrant to take the least intrusive approach to executing the warrant, consistent with vigorous and effective law enforcement. It also directs the law enforcement agency seeking the warrant to work closely with the Department of Justice and the relevant U.S. Attorney's office to ensure the warrant is indeed necessary and that the search minimizes disruption to patient care or threats to the confidentiality of patient records.

Title VI—Provider Compliance Education
Section 601. Provider Education Funding

This section requires Financial Intermediaries and Carriers to spend 3 percent of their Medicare funds on provider billing and compliance education, and HCFA to dedicate 10% of their Medicare Integrity Program funds to such education, so as to try to decrease the rate of provider non-compliance, as well as over- and under-billing.

Section 602. Advisory Opinions for Health Care Providers

This section requires HCFA to provide written answers to questions about coverage, billing, documentation, coding, cost reporting and procedures under the Medicare program, answers which can be used as an affirmative defense against an overpayment determination or an allegation of violating Medicare regulations.

Section 603. Extension of Existing Advisory Opinion Provisions of Law

The Health Insurance Portability and Accountability Act (HIPAA) included a provision requiring the Secretary to issue written advisory opinions on certain specified topics under the anti-kickback statute and civil monetary penalty provisions. However, that provision sunsets on August 21st, 2000. The Balanced Budget Act of 1997 (BBA 97) provides a similar provision regarding the legality of referrals under the physician self-referral laws, which also sunsets August 21st, 2000. This section extends these advisory opinion provisions permanently.

Supporting Organizations

Michigan Health & Hospital Association.
Federation of American Hospitals.
National Association for Home Care.
American Federation of Home Care Providers.
Healthcare Leadership Council.
American Health Care Association.

SUPPORTING THE PRESIDENTIAL VETO OF THE ESTATE TAX REPEAL LEGISLATION

Mr. JOHNSON. Mr. President, I will vote to uphold the President's veto of the wildly irresponsible estate tax repeal bill sent to his desk, and I will also continue to support changes in the law that will provide additional relief for the two percent of American families that are subject to this law.

Under current law, family farms and small business pay no Federal estate tax unless their property is worth more than \$1.3 million. Others are eligible for an estate tax exemption of \$675,000. I recently voted to raise the small business and family farm exemption to \$4 million by 2001 and with a phased in exemption of \$8 million by 2010. The gen-

eral exemption would increase to \$2 million by 2001 and \$4 million by 2010.

The cost to the Treasury for this additional exemption for America's wealthiest families comes to about \$61 billion over ten years. The cost of the total-repeal bill being vetoed by the President, however, comes to \$105 billion over the first ten years, and a whopping \$750 billion when fully phased in during the next ten years.

Very few South Dakota farms or small businesses have any Federal estate tax liability whatever under current law, but I do want to make sure that exemptions are ample. What I don't want to see, however, is an estate tax repeal bill that is so terribly expensive that it makes it almost impossible for Congress to pass tax relief for middle class taxpayers, to shore up Medicare, to pay down more of the accumulated national debt or improve education.

Keep in mind that most of the budget surplus that is being talked about will not materialize for another five years or so, and prudence would suggest to us that it may never materialize at all. Thank heavens for some adult supervision from the White House at a time when Congress has been behaving like spoiled children under the Christmas tree. Supporters of this irresponsible legislation believe there is room in our budget to give multimillionaires an \$8 million tax break, but the legislation sent to the President would have broken the bank and denied relief and assistance to the other 98 percent of American families.

Once Congress concludes its partisan political finger-pointing games, it is my hope that estate tax and marriage penalty relief can be passed in a proper and careful manner that will allow for debt reduction, Medicare improvements, and a commitment to education.

PURPLE HEART AWARDED TO SPECIALIST RAYMOND S. TESTON

Mr. BURNS. Mr. President, I would like to take a moment to recognize Raymond S. Teston. Ray is a great man, and an American hero.

Specialist Raymond S. Teston had served close to one full year of field duty and was to leave Vietnam to return home to Georgia. The night before his departure, August 12, 1969, and the following morning, "C" troop, First Squadron, 1st Calvary of the American Division was overrun while at Base Camp, Hawk Hill, Hill 29. The first wave of the attack was from rocket propelled grenades and 122 mm rockets killing several soldiers and injuring many more. Ray was critically wounded during the ensuing battle and out of the 86 men assigned, was one of only eleven who survived.

On November 5, 1999, the President of the United States of America, the

Army Adjutant General and the Secretary of the Army awarded the Purple Heart to Specialist Raymond S. Teston, United States Army, for wounds received in action in the Republic of Vietnam on August 12, 1969. This is Ray's second award of the Purple Heart; his first came on April 2, 1968, just outside of the Tam Key, Vietnam.

I commend Ray Teston's courage and bravery. I thank him, and all veterans, for their service and sacrifices to our great country and for defending our freedoms. Each time I salute the flag, I like to think of heroes such as Raymond S. Teston, who symbolize all the things that are good about this country—duty—honor—faith in our democracy. Thank you Raymond S. Teston.

SENATOR MOYNIHAN: A PROFILE IN RARE COURAGE

Mr. SCHUMER. Mr. President, I ask unanimous consent that "Moynihan—a Profile in Rare Courage" from yesterday's *Newsday* in praise of the courage and commitment of Senator DANIEL PATRICK MOYNIHAN be incorporated into the CONGRESSIONAL RECORD.

Mr. President, while certainly the race for the seat which Senator MOYNIHAN has left open has excited New Yorkers and the Nation, it is my desire today to simply remind the Nation what a treasure the State of New York bestowed on all of us through Senator MOYNIHAN. I am confident that I speak for all of my colleagues in the Senate when I say that his intellect and leadership will be greatly missed.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MOYNIHAN—A PROFILE IN RARE COURAGE

(By Gray Maxwell)

As the final summer of Sen. Daniel Patrick Moynihan's public career comes to an end, I think back to one languid Friday afternoon three summers ago.

Not much was happening. The Senate was in recess. So Moynihan—my boss at the time—and I went to see an exhibit of Tyndale Bibles at the Library of Congress. William Tyndale wrote the first English Bible from extant Greek and Hebrew manuscripts. Moynihan was eager to learn more about a man whose impact on the English language, largely unacknowledged, is equal to Shakespeare's.

One might wonder what Tyndale has to do with the United States Senate. Not much, I suppose. But like Tennyson's Ulysses, Moynihan is a "gray spirit yearning in desire to follow knowledge like a sinking star." He has unbounded curiosity. I'm not one who thinks his intellectualism is some sort of indictment. Those who do are jealous of his capabilities, or just vapid. In a diminished era when far too many senators know far too little, I have been fortunate to work for one who knows so much and yet strives to learn so much more.

There is little I can add to what others have written or will write about his career. But I would make a few observations. On a parochial note, no other senator shares his